

BLOOMINGTON PROGRESS

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The Fee and Salary Bill.

The following is a synopsis of the Fee and Salary Bill, passed by both houses of the Indiana Legislature:

The bill provides a list of fees that may be taxed and collected by the Clerk of the Supreme Court, Secretary of State, County Recorders, Prosecuting Attorneys, Constables, Justices of the Peace, Coroners, Surveyors, Clerks, Sheriffs, Auditors, Treasurers, &c., somewhat after the style and manner of the old fee bill, there not being any increase or diminution in these respects of prime importance. Among the more noticeable, the fees of jurors are raised to \$2.50 instead of \$1.25 per diem, and the fees of witnesses to \$1.50 per diem. Clerks are allowed \$2 for issuing a marriage license, instead of \$1, which some clerks used to construe up as high as \$2.50; and \$1 for an execution, to conclude all and every service rendered in relation thereto. The dockets fees of Prosecuting Attorneys are also increased in fees of guilty or not guilty, a distinction being made between misdemeanors and felonies. But these changes are of comparatively minor importance and do not affect the main principle of the bill. Section 20 provides that each Clerk and Sheriff, on the first Mondays of December, March, June, and October, shall pay over to the county treasurer all moneys received by them for fees or charges for official services of every description, taking the Treasurer's receipt therefor, and a registry of these receipts is kept open for public inspection. A separate and distinct account is to be kept of these amounts, and they are to constitute and be known as the County Officers' Fund, and if any surplus remains of it, after paying the salaries that are heretofore provided, is to be merged into the general county revenue. The same officers are required at the end of every quarter to pay over to the Treasurer all fines, forfeitures, unclaimed witness fees, docket fees, jury fees, &c., that go to the credit of the Common School Fund.

Sec. 21 provides that all costs that are taxed under the provisions of the act shall be, and remain, lien on the real estate of the party liable, until paid.

Sec. 22 provides punishment by fine, imprisonment, and forfeiture of office, for taxing constructive fees, or any that are not plainly and definitely allowed by the act, to be taxed.

Sec. 23 requires the Treasurer to make a report every quarter, showing the amount in his hands at the close of the preceding month belonging to each separate fund, and any overdraws that may have been made.

Sec. 24 provides that the Clerk and Sheriff shall receive for all the services that they are required by law to perform, an annual compensation of fifteen hundred dollars.

Sec. 25 allows to the Clerk and Sheriff an additional sum of one hundred dollars for every one thousand inhabitants over ten thousand, and twenty percent, on the amount of their own fees, which have been taxed, collected, and paid over to the Treasurer in accordance with the requirements of the act.

Sec. 26 requires the Clerk to issue executions and fee bills after the expiration of six months from the time that they are taxed and due, for the collection of all costs then remaining unpaid.

Sec. 27 requires the Clerk and Sheriff to make a quarterly report under oath, (as all reports are required to be made) showing the amounts respectively charged by each, the amount collected, the names of the parties liable, and the balance due from each party.

Sec. 28 allows the Auditor fifteen hundred dollars per annum, and an additional one hundred dollars per annum for every one thousand inhabitants in excess of ten thousand, (these allowances to all the officers being for deputy hire) and also the fees and commissions allowed him for his services in managing the School Fund of the county. The School Fund is to be distributed to the several counties.

By Section 29 the Treasurer is allowed three hundred dollars per annum, and the sum of seventy-five dollars for every thousand over ten thousand of population, and also his fees for the collection of delinquent taxes.

Sec. 30 makes it the duty of the Board of County Commissioners, at every regular session, to make an allowance to the Clerk and Sheriff of one-fourth their annual salary, out of the officers' fund, but if the amount collected and paid over to the Treasury by these officers does not reach in the aggregate a sum at the rate of one thousand dollars per annum, the Board are authorized to make up the deficit, not going beyond that point.

Sec. 31 provides for a quarterly report by the County Treasurer to the County Board, showing in detail the condition of such funds in his hands.

Sec. 32 fixes the basis by which the population of each county is to be determined, as by the last preceding census, taken under the authority of the Government of the United States.

Sec. 33 makes it the duty of the Supreme Judges of the State, within thirty days of the passage of the act, to prescribe rules and define, as near as may be, the fees that may

be taxed under the provisions of the act, by the Clerks and Sheriffs, without taxing constructive fees.

Sec. 34 provides for the successor of any county officer collecting fees remaining unpaid at the expiration of the term of his predecessor.

Sec. 35 provides that if any of the officers named shall fail to make the reports, or perform the duties required; he shall be deemed guilty of a felony, and fined and imprisoned in the State prison.

Sec. 36—That upon an acquittal in any criminal case, no costs shall be taxed or collected from the defendant or the State.

Sec. 37—That no fee bill shall issue after the lapse of five years, except after five days' notice to the party who is liable for the payment thereof.

Sec. 38 allows County Commissioners four dollars per day for the time they are employed.

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